



10-29-03

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NOV 07 2003
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Boyle et al.

Serial No.: 09/613,591

Group Art Unit No.: 1647

Filed: July 10, 2000

Examiner: Regina M. DeBerry #33

For: COMBINATION THERAPY FOR CONDITIONS
LEADING TO BONE LOSS

Docket No.: A-378CIP5

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION MPEP 711.03(c) II**

Mail Stop Abandonment
Attention: Karen C. Carlson
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment dated September 30, 2003, Applicants respectfully state that the Office Action dated January 22, 2003 was never received. A search of our file jacket and our docket record indicates the last Office Action received and noted was dated June 4, 2002, for which a Response was filed on October 4, 2002. Enclosed is a copy of the file jacket and docket records reflecting that the Office communication in question was not received.

Please charge Deposit Account No. 01-0519 in the amount of \$130.00, which would cover the Petition. The Commissioner is hereby authorized to charge any additional fees, which may be required to the Deposit Account No. 01-0519. An original and two copies of this paper are enclosed.

Applicants request favorable action on this petition and remailing of the January 22, 2003 Office Action.

10/31/2003 DTESEM1 00000009 010519 09613591

01 FC:1460 130.00 DA

Please send all future correspondence to:
US Patent Operations/ [TJG]
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

Respectfully submitted,

Timothy J. Gatz
Attorney/Agent for Applicants
Registration No.: 33,111
Phone: (805) 447-2688
Date: Oct. 27, 2003

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number: EV352489052US

Date of Deposit: October 27, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lynne Buchsbaum
Printed Name

Lynne Buchsbaum
Signature

NOV 07 2003

OCT 27 2003

Combination Therapy For Conditions Leading To Bone Loss

TECH CENTER 160-2933
DISCLOSURE NO. A2933

A-378 CIP.

TITLE Leading To Bone Loss

DISCLOSURE NO.

SERIAL NO. 09/613591 FILED July 10, 2000 ALLOWED

PATENT NO. _____ ISSUED _____ FINAL FEE DUE _____

TERM _____ **APPEAL NO.** _____

LICENSE AGREEMENT DATED _____ INTERFERENCE NO. _____

COMPANY

ASSIGNEE Amgen Inc.

EXECUTED 10/16/00 RECORDED 3/6/01 REEL 011607 FRAME 0444

INVENTOR(S)

RELATED CASES CIP of A-378 CIP4(09-457,647) filed 12-9-99

CIP of A-378 (08-577,788) filed 12-22-95)

[illegible]

MADE IN U.S.A.

378 CIP5 Leading To Bing Boss 7/10/00 09/613591 T J G

List of Diary Dates for: TJG

U.S. DOCKET

Feb 20 2003

<u>Due Date</u>	<u>File Docket #</u>	<u>Country</u>	<u>Resp Persons</u>	<u>Appln. No.</u>	<u>Appln. Date</u>	<u>Diary Matter</u>
Jun 23 2002	A-690	US	1 TJG	09/840,669	Apr 23 2001	First OA Received?
Sep 03 2002	S-073K	US	1 TJG 2 MCDON NEL	09/898,234	Jul 03 2001	First OA Received?
Sep 03 2002	S-073J	US	1 TJG 2 MCDON NEL	09/899,422	Jul 03 2001	First OA Received?
Dec 02 2002	A-730	US	1 TJG	09/969,739	Oct 02 2001	First OA Received?
Dec 20 2002	A-800	US	1 TJG 2 MCDON NEL	10/251,947	Sep 20 2002	File IDS Declaration
Dec 29 2002	A-731	US	1 TJG	10/011,931	Oct 29 2001	First OA Received?
Dec 29 2002	A-268T	US	1 TJG 2 DUNLAP	10/039,729	Oct 29 2001	First OA Received?
Jan 22 2003	A-673A	US	1 TJG 2 FINNEG AN	09/803,918	Mar 13 2001	3M Response to OA
Jan 28 2003	A-527	US	1 TJG	09/428,082	Oct 22 1999	3M Response to OA
Mar 31 2003	A-430F	US	1 TJG	09/907,263	Jul 17 2001	3M Response to OA



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U.S. DOCKET

Feb 20 2003

<u>Due Date</u>	<u>File Docket #</u>	<u>Country</u>	<u>Resp Persons</u>	<u>Appln. No.</u>	<u>Appln. Date</u>	<u>Diary Matter</u>
Apr 14 2003	A-693	US	1 TJG	09/847,249	May 02 2001	3M Response to OA
Apr 22 2003	A-673A	US	1 TJG 2 FINNEG AN	09/803,918	Mar 13 2001	6M Response to OA
Apr 28 2003	A-527	US	1 TJG	09/428,082	Oct 22 1999	6M Response to OA
May 03 2003	A-365G	US	1 TJG 2 FINNEG AN	09/784,623	Feb 15 2001	3M Response to OA
May 07 2003	A-268G	US	1 TJG 2 DUNLAP	08/278,551	Jul 21 1994	Maintenance fee
Jun 24 2003	S-050H	US	1 TJG 2 FINNEG AN	07/506,522	Apr 06 1990	Maintenance fee
Jun 30 2003	A-430F	US	1 TJG	09/907,263	Jul 17 2001	6M Response to OA
Jul 13 2003	A-743	US	1 TJG	10/145,206	May 13 2002	First OA Received?
Jul 14 2003	A-693	US	1 TJG	09/847,249	May 02 2001	6M Response to OA
Aug 03 2003	A-365G	US	1 TJG 2 FINNEG AN	09/784,623	Feb 15 2001	6M Response to OA

List of Diary Dates for TJG

U.S. DOCKET

Mar 12 2003

<u>Due Date</u>	<u>File Docket #</u>	<u>Country</u>	<u>Resp Persons</u>	<u>App'n. No.</u>	<u>App'n. Date</u>	<u>Diary Matter</u>
Sep 03 2002	S-073K	US	1 TJG 2 MCDON NEL	09/898,234	Jul 03 2001	First OA Received?
Sep 03 2002	S-073J	US	1 TJG 2 MCDON NEL	09/899,422	Jul 03 2001	First OA Received?
Dec 02 2002	A-730	US	1 TJG	09/969,739	Oct 02 2001	First OA Received?
Dec 20 2002	A-800	US	1 TJG 2 MCDON NEL	10/251,947	Sep 20 2002	File IDS Declaration
Dec 29 2002	A-268T	US	1 TJG 2 DUNLAP	10/039,729	Oct 29 2001	First OA Received?
Dec 29 2002	A-731	US	1 TJG	10/011,931	Oct 29 2001	First OA Received?
Jan 22 2003	A-673A	US	1 TJG 2 FINNEG AN	09/803,918	Mar 13 2001	3M Response to OA
Mar 28 2003	S-210C	US	1 TJG	08/259,413	Jun 14 1994	IF REVIVED, FILE DIVISIONAL ASAP
Mar 31 2003	S-050N	US	1 TJG 2 FINNEG AN	08/468,425	Jun 07 1995	Formal Drawings
Mar 31 2003	A-430F	US	1 TJG	09/907,263	Jul 17 2001	3M Response to OA

<u>Due Date</u>	<u>File Docket #</u>	<u>Country</u>	<u>Resp Persons</u>	<u>Appln. No.</u>	<u>Appln. Date</u>	<u>Diary Matter</u>
Apr 06 2003	A-731	US	1 TJG	10/011,931	Oct 29 2001	Amdt to Publication Due
Apr 13 2003	A-693	US	1 TJG	09/847,249	May 02 2001	Amdt to Publication Due
Apr 14 2003	A-693	US	1 TJG	09/847,249	May 02 2001	3M Response to OA
Apr 22 2003	A-673A	US	1 TJG 2 FINNEG AN	09/803,918	Mar 13 2001	6M Response to OA
Apr 30 2003	S-050N	US	1 TJG 2 FINNEG AN	08/468,425	Jun 07 1995	Issue Fee Due
May 03 2003	S-050O	US	1 TJG	08/482,283	Jun 07 1995	3M RESPONSE TO FINAL ACTION
May 03 2003	A-365G	US	1 TJG 2 FINNEG AN	09/784,623	Feb 15 2001	3M Response to OA
May 07 2003	A-268G	US	1 TJG 2 DUNLAP	08/278,551	Jul 21 1994	Maintenance fee
May 21 2003	A-415H	US	1 TJG 2 MCDON NEL	09/882,735	Jun 15 2001	3M Response to OA
May 26 2003	A-688A	US	1 TJG	09/840,277	Apr 23 2001	3M Response to OA